Notice of Allowability	Application No.	Applicant(s)
	10/609,226	LAWSON, ROBERT B.
	Examiner	Art Unit
	Phi D. A	3637
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>telephone interview 7/5/05</u> .		
2. The allowed claim(s) is/are <u>9-13.</u>		
3. The drawings filed on 30 June 2003 are accepted by the Examiner.		
4.		
Attachment(s) 1. ☑ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/O Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ⊠ Interview Summary Paper No./Mail Dat 08), 7. ⊠ Examiner's Amendn	è ´

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Lawson on 7/5/05.

The application has been amended as follows:

Cancel claims 1-8.

Claim 9 last line, replace [and a surface of water in] with ---- of ---

Allowable Subject Matter

- 2. Claims 9-13 are allowed.
- 3. The following is an examiner's statement of reasons for allowance: prior art does not show the method steps of assembling a multiple of said grate bars parallel to each other and parallel to the pool edge on the gutter in an elevated position, and thereafter lowering the assembled grating into the gutter to be substantially flush with the deck of said pool in combination with other claimed method steps; prior art also does not provide sufficient motivation to modify Smith (1561120), Carlton (4727704), Emerson (846291), Arens (3864887), Bixby (3381355), Bates (2082197), Fingerson (4522009), Kawachi et al (4897299), or Wright et al (5291714) to show the method steps of assembling the bars on the gutter in an elevated position and thereafter lowering the assembly into the gutter to be substantially flush with the deck of the pool in combination with other claimed limitations.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different grating designs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Tuesday, Thursday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phi Dieu Tran .